

1 STANLEY G. HILTON, BAR NO. 65990  
2 LAW OFFICES OF STANLEY G. HILTON  
2570 North First Street, Ste. 200  
3 San Jose, California 95131  
3 Tel: (415) 786-4821  
4 Fax: (415) 276-2388

\*\*efiled 10/18/06

4 Attorney for Plaintiff  
5 ROBERT ELROY SMITH

6  
7 UNITED STATES DISTRICT COURT

8 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

9  
10 ROBERT ELROY SMITH, ) Case No.: C-05-01439-JF  
11 Plaintiff, )  
12 v. ) STIPULATION AND ORDER TO  
13 HYANG SOOK KIM, UNITED STATES OF ) CONTINUE HEARING AND TIME FOR  
14 AMERICA, ) FILING SUPPLEMENTAL BRIEFING  
15 Defendants. )  
16 ) Date: October 27, 2006  
17 ) Time: 9:00 a.m.  
18 ) Courtroom: 3, 5<sup>th</sup> Floor  
19 ) Honorable JEREMY FOGEL  
20 ) United States District Judge  
21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

17  
18  
19 TO ALL PARTIES IN THE ABOVE ENTITLED ACTION AND THEIR ATTORNEYS  
20 OF RECORD:

21 The parties to the above entitled action by and through their attorneys, Stanley G. Hilton,  
22 for plaintiff and Chinhayi J. Coleman for defendant United States of America and defendant  
23 Hyang Sook Kim hereby stipulate that the supplemental briefing schedule and the subsequent  
24 hearing and case management conference are continued as indicated below.

25 The documents that were to be served by September 29, 2006 were not received by  
26 plaintiff's counsel until on or about October 6, 2006. Because of the voluminousness of the  
27 documents and counsel's busy schedule, additional time for the briefing is required.

28 It is further stipulated that the hearing on defendant's Motion to Dismiss that had been

From: James Chaffee 415-704-5030 To: Chinhayi J. Coleman

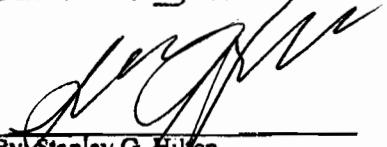
Date: 10/12/2006 Time: 3:12:42 PM

Page 3 of 3

1 scheduled to be held on October 27, will now be held on November 9, 2006, and supplemental  
2 briefing will be due on October 20, instead of October 13.

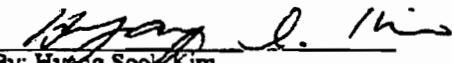
3 Date: October 13, 2006

9  
Date: October 13, 2006

4   
5  
6 By: Stanley G. Hilton  
7 Attorney for Plaintiff

Chinhayi J. Coleman  
By: Chinhayi J. Coleman  
8 Attorney for Defendants

9 Date: October 13, 2006

10  
11   
12 By: Hyung Sook Kim  
13 Defendant

14  
15 IT IS SO ORDERED.

16 DATED: October 18, 2006

17  
18 By   
19 Jeremy Fogel  
20 Judge of the US District Court